

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ABRAXIS BIOSCIENCE, INC.,

Plaintiff,

V.

NAVINTA LLC,

Defendant.

Civil Action No. 07-1251 (JAP)

ORDER

Presently before the Court is a motion by Defendant to dismiss this action under Federal Rule of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction. Also before the Court is a motion by Abraxis to join APP Pharmaceuticals, LLC (“APP”), an assignee of the patents-in-suit, as a plaintiff. For the reasons set forth in the accompanying Opinion,

IT IS on this 30th day of March 2009,

ORDERED that Defendant's motion to dismiss is **DENIED**; and it is further

ORDERED that Plaintiff's motion for joinder is **GRANTED**.

/s/ JOEL A. PISANO
United States District Judge